

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE CALGON CARBON)	Civil Action No. 2:17-cv-01433-AJS
CORPORATION SHAREHOLDER)	Consolidated with 2:17-cv-1459-AJS
LITIGATION)	
)	CLASS ACTION
This Document Relates To:)	
ALL ACTIONS)	

STIPULATION AND [PROPOSED] SCHEDULING ORDER

WHEREAS, on November 2, 2017, plaintiff George Assad filed a Complaint for Violation of the Securities Exchange Act of 1934 in this Court, captioned *Assad v. Calgon Carbon Corp.*, Civil Action No. 2:17-cv-01433-AJS (the “Assad Action”), challenging the disclosures made by Calgon Carbon Corp. (“Calgon Carbon”) in connection with the proposed acquisition of Calgon Carbon by Kuraray Co., Ltd. and its affiliates (collectively, “Kuraray”) (the “Proposed Transaction”);

WHEREAS, on November 8, 2017, the Court entered a Scheduling Order in the Assad Action, which set forth a schedule governing Plaintiff Assad’s Request for Preliminary Relief;

WHEREAS, on November 8, 2017, plaintiff Marshall Biederman filed a Complaint for Violation of Sections 14(a) and 20(a) of the Securities Exchange Act of 1934 in this Court, captioned *Biederman v. Calgon Carbon Corp.*, Civil Action No. 2:17-cv-1459-AJS (the “Biederman Action”), also challenging the disclosures made by Calgon Carbon in connection with the Proposed Transaction;

WHEREAS, on November 13, 2017, the Court entered an Order consolidating the Assad Action and the Biederman Action;

WHEREAS, counsel have conferred with respect to the schedule set forth in the Scheduling Order;

NOW, THEREFORE, upon consent of the parties and subject to the approval of the Court:

IT IS HEREBY ORDERED this ____ day of _____, 2017 that:

1. Hearing and argument on Plaintiffs' Request for Preliminary Relief shall take place on _____, _____, 2018, at __: __ M, in Courtroom ____.
2. Plaintiffs must file affidavit(s) of service upon completion of service of all pleadings filed in this case, to date, upon Defendants.
3. Plaintiffs may file an opening brief (with Affidavits in Support of Request for Preliminary Relief) by 12:00 PM (noon), on Friday, December 22, 2017.
4. Defendants shall file a brief in response (with Counter-Affidavits in Opposition to Request for Preliminary Relief) by 12:00 PM (noon), on Friday, January 12, 2018.
5. The Parties shall meet and confer to determine the appropriate scope of document production for Plaintiffs' Motion and shall exchange all documents/information relevant to Plaintiffs' Motion and/or Defendants' Response on or before 12:00 PM (noon), on Friday, January 19, 2018.
6. All Parties shall preserve all relevant documents/information, including ESI.
7. Plaintiffs and Defendants may take up to ten (10) hours of depositions on or before Wednesday, January 24, 2018. Any depositions shall be scheduled so that the Party taking the deposition alternates (*i.e.*, Plaintiff takes a deposition; Defendant takes a deposition, etc.), unless otherwise agreed to by counsel.
8. All depositions shall occur in Pittsburgh, Pennsylvania, unless otherwise agreed to by counsel.
9. Defendants shall not be required to move to dismiss, answer, or otherwise respond to the complaint until after a lead plaintiff is appointed in accordance with the Private Securities

Litigation Reform Act of 1995, 15 U.S.C. §78u-4(a)(3), and a consolidated amended complaint, if any, is filed by lead plaintiff.

10. The Parties are directed to Alternative Dispute Resolution with mediator Arthur H. Stroyd, on _____, 2017, at __:__ M. See LCvR 16.2. Plaintiffs and Defendants shall each pay 50% of the fees and costs for mediation.

11. The Parties are directed to file an appropriate ADR Stipulation by 12:00 PM (noon), on Friday, January 19, 2018.

12. At the Preliminary Relief Hearing on _____, 2018, at __:__ M, each Party shall have up to fifteen (15) minutes to present opening arguments. All direct testimony shall be by the affidavits previously filed. Each Party shall have up to two (2) hours to present testimony by cross-examination and rebuttal. Each Party shall have up to fifteen (15) minutes to present closing arguments.

13. The parties shall file proposed Findings of Fact and Conclusions of Law on or before 12:00 PM (noon), on Wednesday, January 24, 2018.

Dated: November 15, 2017

**LAW OFFICE OF ALFRED G.
YATES, JR., P.C.**

OF COUNSEL:

RIGRODSKY & LONG, P.A.

Brian D. Long (PA Bar No. 82370)
Gina M. Serra (PA Bar No. 308207)
2 Righter Parkway, Suite 120
Wilmington, DE 19803
(302) 295-5310

By: /s/Gerald L. Rutledge (by permission)
Alfred G. Yates, Jr. (PA Bar No.
17419)
Gerald L. Rutledge (PA Bar No.
62027
300 Mt. Lebanon Boulevard
Suite 206-B
Pittsburgh, PA 15234-1507
(412) 391-5164

Attorneys for Plaintiffs

RM LAW, P.C.

Richard A. Maniskas
(PA Bar No. 85942)

1055 Westlakes Drive, Suite 300
Berwyn, PA 19312
(484) 324-6800

Attorneys for Plaintiff George Assad

LEVI & KORSINSKY LLP

Donald J. Enright
Elizabeth K. Tripodi
1101 30th Street, N.W., Suite 115
Washington, D.C. 20007
(202) 524-4290

Attorneys for Plaintiff Marshall Biederman

JONES DAY

By: /s/Andrew R. Stanton
Andy Stanton (PA Bar No. 93409)
500 Grant Street, Suite 4500
Pittsburgh, PA 15219
(412) 394-7936

Eric Landau
3161 Michelson Drive, Suite 800
Irvine, CA 92612
(949) 553-7517

*Attorneys for Defendants Calgon
Carbon Corporation, J.
Rich Alexander, Randall S. Dearth,
William J. Lyons, Louis S. Massimo,
William R. Newlin, John J. Paro, Julie
S. Roberts, Timothy G. Rupert, and
Donald C. Templin*

IT IS SO ORDERED this _____ day of _____, 2017.

Arthur J. Schwab
United States District Court Judge

SCHEDULING MOTION CERTIFICATE

I hereby certify on this 21st day of November, 2017, that all parties have conferred with regard to the proposed modifications within this Stipulation and [Proposed] Scheduling Order, and all parties consent thereto.

/s/ Andrew R. Stanton

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of November, 2017, a true and correct copy of this Stipulation and [Proposed] Scheduling Order was filed and served on counsel of record via the United States District Court for the Western District of Pennsylvania's CM/ECF system.

/s/ Andrew R. Stanton